today morning, there was a demand from various Members that this matter should be discussed in the House, and Government is willing to have a discussion on this tomorrow afternoon.

SHRI SANTOSH BAGRODIA (Rajasthan): We have given notice for a Short Duration Discussion on this.

MR. CHAIRMAN: Yes, yes; we are going to admit it now. ...*(Interruptions)* ....

BILL INTRODUCED

THE COAL MINES (NATIONALISATION) AMENDMENT BILL, 2000

THE MINISTER OF POWER AND MINISTER OF MINES AND MINERALS (SHRI P.R. KUMARAMANGALM): Sir, I beg to move for leave to introduce a Bill further to amend the Coal Mines (Nationalisation) Act, 1973. ...*(Interruptions)*...

The question was proposed

SHRI JIBON ROY (West Bengal): Sir, I have a submission.

MR. CHAIRMAN: On what?

SHRI JIBON ROY: The Bill is unconstitutional. I have a submission. The Bill for denationalisation of coal mines has not been circulated. This is one thing.

Secondly, coal mines were nationalised. Coal mines are the property of the nation. This House has sanctioned money in every budget for them. Through a blanket Bill, he cannot take the authority to denationalise every mine. The Government has to come up for denationalisation of mines, mine-wise and colliery-wise. The Government cannot take, through an Act, the blanket authority for denationalisation of the entire mines. Therefore, the Bill is unconstitutional. The Government, as such, cannot dispose of them in that way, without taking the mine-wise and colliery-wise permission of the House. Therefore, it is unconstitutional. The Government cannot bring in this Bill.

MR. CHAIRMAN: As far as the circulation of the Bill is concerned, I am informed that it was circulated on the 20th of April.

SHRI JIBON ROY: We have not got it.

MR. CHAIRMAN: I do not know. It has been circulated. You have to check up.

SHRI S. VIDUTHALAI VIRUMBI (Tamil Nadu): I have received it.

MR. CHAIRMAN: He has received it. Do not say that without checking. He has received it. How is it that some people have received it, while some others have not? ...*(Interruptions)*...

That is a different thing.

As far as the circulation of the Bill is concerned, the Bill has been circulated on the 20th of April.

SHRI JIBON ROY: But it is unconstitutional. Never has it been discussed in the Standing Committee or in any other Committee, before it is introduced in this House. It is unconstitutional.... *(Interruptions)*...

SHRI P. R. KUMARAMANGALAM: Mr. Chairman, Sir, at the stage of introduction, when I introduce it in this House, the only issue that arises is of the legislative competence of this House. I don't think that anyone of us disputes that. There is no doubt that the Bill needs to be looked into by the Standing Committee .... *(Interruptions)* ....

MR. CHAIRMAN: Please sit down.

SHRI P. R. KUMARAMANGALAM: Thereafter only, will the House take it up. That is the usual procedure. All I am doing is seeking the leave of the House to introduce it in the House. Thereafter, it goes to the Standing Committee. ... *(Interruptions)*...

MR. CHAIRMAN: Please sit down.

After the Bill is introduced, it will go to the Standing Committee. After the Standing Committee diposes it of, it will be taken up by the House.

SHRI JIBON ROY: My point is whether any Bill which goes against the spirit of the Constitution can be introduced or not. This is my question. ...*(Interruptions)*....

Through this Bill, the Government is trying to have a blanket authority to denationalise every mine .....*(Interruptions)* .....

When this House has sanctioned money through every budget, can a Bill of this kind for taking a blanket authority for denationalisation be introduced? .... *(Interruptions)* ....

MR. CHAIRMAN: Mr. Minister, have you moved the motion?

श्री एस0 एस0 अहलुवालिया (बिहार) : सर, हमें तो स्वागत करना चाहिए कुमार मंगलम जी का, इनके पिताजी ने नेशनलाइज्ड किया था आज से 60 वर्ष पहले और आज डिनेशनलाइज्ड हो रहा है, कुमार मंगलम जी का स्वागत करिए। **...(व्यवधान)...**

SHRI P. R. KUMARAMANGALAM: It is not a case of denationalisation: it is a case of only allowing private persons also to participate in coal-mining.

It is different from privatisation or denationalisation, but we shall go into the merits later. At the moment, the only issue that this House is seized of is, whether we have the legislative competence to consider this Bill or not. *(Interruptions)* It is a Bill that was passed by this Parliament and we seek to amend it. I do not think anybody is challenging our legislative competence to amend the Bill. All I am seeking is, to introduce the Bill. Let it be introduced; let the Standing Committee consider it; then the House can look into it in depth.

SHRI DIPANKAR MUKHERJEE (West Bengal): Sir, Mr. Ahluwalia congratulated Mr. Kumaramangalam, saying that he is de-nationalising the coal-mines. *(Interruptions)* The modus operandi of introducing the Bill is the issue. I must thank Mr. Ahluwalia. The cat is out of the bag. Mr. Ahluwalia is very correct. He congratulated the Minister that his father had nationalised the mines... *(Interruptions)* He is now de-nationalising the mines. You think what you are doing is under the Constitution?

SHRI P. R. KUMARAKANGALAM: It is an amendment to the Bill.

SHRI DIPANKAR MUKHERJEE: I do not know, but the fact is that, on this point, you are silent. What we are asking *is...(Interruptions)...*

SHRI S.S. AHLUWALIA: I never meant that. *...(Interruptions)...* You said that it was wrong on the Government to have brought forward the Bill. *...(Interruptions)...*

SHRI DIPANKAR MUKHERJEE: You were correct because your conscience was speaking as a common man. Your conscience was pricking you earlier when you were on this side saying this cannot be done. "नेशनेलाइजेशन जिसने किया है "इंदिरा गांधी जिंदाबाद", फिर जो डि-नेशनेलाइज कर रहा है "कुमारमंगलम जिंदाबाद । is this the *modus operandi* for such an important Bill? Has it been done like this at any time earlier? See the way you nationalised the mines. When there was no question of it, you nationalised the mines. Was it done this way that the Minister comes at 1205 or 1210 and says that this is what he wants to do? That is the difference between that Kumaramangalam and this Kumaramangalam. *(Interruptions)* Sir, he came at 12.10 saying," Sir, I want to introduce the Bill." It is very wrong. 11.55 पर स्टील गया, 12.10 पर कोल गया । अब यह पूरी पार्लियामेंट जाएगी ...(**व्यवधान**)...

MR. CHAIRMAN: Kindly allow the Minister to speak.

श्री एस0 एस0 अहलुवालिया : बंगाल में प्राइवेट रिलेशंस दिखाए जा रहे हैं ...(**व्यवधान**)...

SHRI JIBON ROY: Sir, let them first talk to the trade unions and the workers, let them talk to the political parties. Then they should come with a comprehensive Bill.

श्री राजनाथ सिंह "सूर्य" (उत्तर प्रदेश) : सभापति महोदय, ये लोग क्या सदन की कार्यवाही नहीं चलने देंगे ? ये इसी तरह से हंगामा करते रहेंगे ...(**व्यवधान**)...

MR. CHAIRMAN: You have spoken enough. Now, let the Minister say somethihng. You reply to him.

SHRI JIBON ROY: Sir, it is a not a matter of Act; it is a matter of politics too. The entire country is one on this. All the 37 mines' trade unions have given notice for a strike from 5th April, against this Bill. You first talk to the workers, you talk to the trade unions, you talk to the political parties. Then only you should bring this Bill to the House.

SHRl S.S. AHLUWALIA: How long they will continue ..*(Interruptions)*.... How long?

SHRI DIPANKAR MUKHERJEE : Five minutes back, steel has gone. ..*(Interruptions)*... Now, coal has gone. When will this House go?

MR. CHAIRMAN: Let the Minister speak. ..*(Interruptions)*...

SHRI JIBON ROY: Don't talk politics which will ruin the nation. ..(Interruptions)... Before you introduce the Bill in the House, please talk to the workers, talk to the leaders of the trade unions. If they agree, we will agree. ..*(Interruptions)*...

MR. CHAIRMAN: Please hear the Minister. You have spoken enough. Let the Minister speak. He has to make his point also.

SHRI P. R. KUMARAMANGALAM : Firstly, at the stage of introduction, normally, it is only the legislative competence which is taken up. Since this matter has created so much controversy, I wish to assure the hon. Members that this Bill does not attempt either to privatise the existing coal companies or denationalise the existing coal companies. Today, under the Act, the provision is such that you can still have a captive coal mine, if you are a steel producer or a cement producer, etc. There are certain notified producer companies which can have captive coal mines.

For example, power companies. Other than that, you cannot produce coal. If you are not a Government company, you cannot produce coal. Now, all we are proposing is that, with this amendment, a private company can also produce coal, but under certain circumstances, with very strict conditions in so far as the terms and conditions of labour and in so far as the scientific method of mining are concerned. These merits can be considered by the Parliamentary Standing Committee in detail. It is only after the Parliamentary Standing Committee considers it, it will come back to this House. Then, the House will be seized of the matter. At the moment, we are only seeking to introduce the Bill so that it can go to the Parliamentary Standing Committee. I don't think we have been very unreasonable. I categorically assure the hon. Members that by introducing this Bill or even after this Bill is passed, in no way, the existing coal companies are going to be affected.

SHRI DIPANKAR MUKHERJEE: They will also not be disinvested?

SHRI P. R. KUMARAMANGALAM: There will be no retrenchment because of this Bill. There will be no such action. ..*(Interruptions)*...

SHRI DIPANKAR MUKHERJEE: There will be no disinvestment also?

SHRI JIBON ROY: The question is : There should not be any retrenchment. The question is: the mines should not be taken over by the private sector. ..*(Interruptions)*... The question is, there is no such provision in the Bill. I want to know whether the Minister will discuss with the workers, with the trade union leaders regarding this Bill. ..*(Interruptions)*...

श्री सतीश प्रधान : (महाराष्ट्र) **...(व्यवधान)** अमेंडमेंट देने का उनका अधिकार है, वह अपने सुझाव देना चाहें दे सकते हैं। **...(व्यवधान)**

SHRI S. VIDUTHALAI VIRUMBI: Mr. Chairman, Sir, the consideration of the Bill cannot be taken up at this stage. We can only talk about the introduction of the Bill. ..*(Interruptions)*... It cannot go on for ever. ..*(Interruptions)*...

MR. CHAIRMAN: The hon. Minister has duly moved the motion. I am putting that to vote. The question is:

"That leave be granted to introduce a Bill further to amend the Coal Mines (Nationalisation) Act, 1973."

The motion was adopted.

SHRI P. R. KUMARAMANGALAM: Sir, I introduce the Bill.

MR. CHAIRMAN: Special Mentions. Dr. Narayana Reddy.

SPECIAL MENTIONS

Recognition of the Janakinath Bhavan, Cuttck where Netaji Subhas Chandra Bosewas born as National Monument

DR. C. NARAYANA REDDY (Nominated): Mr. Chairman, Sir, I seek your kind permission to bring to the notice of this august House, a very vital item that warrants immediate consideration and follow-up action. This special mention relates to the place of birth of Netaji Subhas Chandra Bose. If asked to name three greatest national leaders of the 20th Century who played the most exemplary role in the attainment of freedom, the unanimous choice of the country would be Gandhiji, Nehruji and Netaji. Their births were indeed great events in the annals of the nation and their birth-places stand as magnificent memorials. The buildings in Porbandar and Allahabad where Gandhiji and Nehruji were born, respectively, are held in high esteem and kept to serve as sources of inspiration to the present as well as future generations.